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**IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA**

**FOURTH APPELLATE DISTRICT**

**DIVISION TWO**

KEVIN JEN-KANG YANG et al.,

Plaintiffs and Appellants,

v.

UNION BANK OF CALIFORNIA, et al.,

Defendants and Respondents.

E043696

(Super.Ct.No. RCV092365)

**ORDER MODIFYING  
OPINION AND DENYING  
PETITION FOR REHEARING**

[NO CHANGE IN JUDGMENT]

Appellants' petition for rehearing is denied. The opinion filed in this matter on March 9, 2009 is modified as follows:

In the last paragraph starting on page 17 and continuing on page 18, the last three sentences, as follows, are deleted:

Whatever document defendants filed on May 15 is not in the record. From its caption, however, it appears to have been a proof of service of the ex parte application, not of the motion. If it *was* a proof of service of the motion, it was redundant and duplicative.

The deleted sentences are replaced with:

On May 15, defendants filed an additional proof of service, relating to both the ex parte application and the motion. As a proof of service of the motion, it was merely duplicative.

Other than this modification, the opinion remains unchanged. This modification does not effect a change in the judgment.

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RICHLI  
J.

We concur:

HOLLENHORST  
Acting P.J.

GAUT  
J.